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UNCLAS ANKARA 000731

SIPDIS

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SUBJECT: Mars on Alleged Turkish Infringement of
Products in Turkey and Middle East/European Markets

1. Evie Kyriakides, Trademark Counsel for Mars Incorporated, and Hoda Barakat, a partner in the Al Tamimi and Company law firm, called on Econoff and FCS Counselor in separate meetings on February 2 to seek USG advice and assistance with respect to alleged trademark infringements of Mars confectionary products by several Turkish companies in both Turkish and other markets.

2. Mars claims that Turkish firms Ulker, Solen, Saray, Simsek and Bifa have been copying Mars packaging designs (though not using Mars' trademarked names) in selling their competing products. Mars representatives told us the company has repeatedly tried without success to reach a settlement out of court with Ulker, a huge and well-connected Turkish company; Mars is taking legal action against Ulker in Turkey as well as other markets. Mars noted some success in stopping infringement by Solen through legal action in Turkey and Germany. Court cases have also been launched against Saray in Turkey and in other countries. Kyriakides and Barakat did not quantify potential losses arising from alleged infringement.

3. Emboffs arranged for Mars representatives to discuss these issues with the American Business Forum - Turkey, which agreed to help the company arrange meetings with GOT officials. FCS is also opening a trade compliance case on this issue. As discussed with Mars representatives, it appears that Mars' primary avenue for addressing the alleged infringements lies in legal action or in negotiation with the Turkish companies in question. Edelman